

Jim Leach

From: Jim Leach
Sent: Friday, May 09, 2025 1:35 PM
To: 'Hofmann, Michael (USASD)'
Subject: Saxena v. Noem et al.

Michael,

I do not think this moots the case.

Jim

From: Hofmann, Michael (USASD) <Michael.Hofmann@usdoj.gov>
Sent: Wednesday, May 07, 2025 9:23 AM
To: Jim Leach <jim@southdakotajustice.com>
Subject: Saxena v. Noem et al.

Jim:

I am authorized to make the following representations on behalf of the U.S. Immigration and Customs Enforcement ("ICE"):

1. ICE has no plans under its new SEVIS policy to re-terminate the alien's SEVIS record based solely on the NCIC record that led to its initial termination.
2. ICE's reactivation of the alien's SEVIS record is being made retroactive to the date of its initial termination such that there is no gap in the alien's SEVIS record [and any authorization end date for OPT has been reset to the end date set forth in the alien's SEVIS record before its termination].

Considering these representations, I believe Ms. Saxena's case is now moot, and that further hearings, briefings, and/or witness testimony is unnecessary. Please advise of your client's position. Thank you.

Respectfully,

Michael S. Hofmann
Assistant U.S. Attorney
District of South Dakota
515 Ninth Street, Ste. 201
Rapid City, SD 57701
(605) 342-7822

